



JUN 25 2004

Practitioner's Docket No. 17396/09057

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jawed Asrar, Ernest F. Sanders and Yiwei Ding

Application No.: 10/081,023

Group No.: 1616

Filed: 02/21/2002

Examiner: Alton N. Pryor

For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT WITH  
DIAZOLE, TRIAZOLE AND STROBILURIN-TYPE FUNGICIDES

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that the attached correspondence comprising:

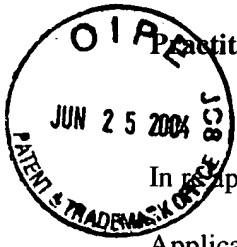
1. Amendment Transmittal (2 pages)
2. Response to Office Action (14 pages)
3. Return Postcard (1 page)

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450  
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on Jun. 23, 2004.

  
Debra Dunn-Brown  
\_\_\_\_\_  
Signature of person mailing paper



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AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is other than a small entity.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

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Express Mail certification is optional.)

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

as "Express Mail Post Office to Addressee"

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TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: 6/23/04

Debra Dunn-Brown  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY					
<b>CLAIMS</b>								
REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				RATE		ADDIT. FEE
<b>TOTAL</b>	56	-	63	=	0	x \$ 18.00	=	\$ 0.00
INDEP.	8	-	8	=	0	x \$ 86.00	=	\$ 0.00
<b>FIRST PRESENTATION OF MULTIPLE DEP. CLAIM</b>					+ \$ 0.00	=	\$ 0.00	
						<b>TOTAL ADDIT. FEE</b>		\$ 0.00

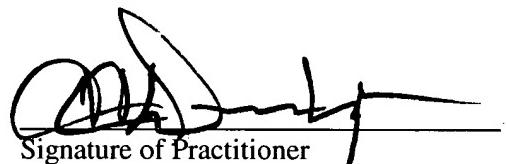
No additional fee for claims is required.

## FEE DEFICIENCY

5. If an additional fee for claims is required, charge Account No. 50-2548.

Date: June 23, 2004

Reg. No.: 35,124  
Tel. No.: 864-250-2238



Signature of Practitioner

Charles E. Dunlap  
Nelson Mullins Riley & Scarborough, LLP  
1320 Main Street - 17th Floor  
Columbia, SC 29201



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION NO. : 10/081,023 CONFIRMATION NO. 2905  
APPLICANT : Jawed Asrar *et al.*  
FILED: February 22, 2002  
TC/A.U. : 1616  
EXAMINER : Alton N. Pryor  
DOCKET NO. : 17396/09057  
CUSTOMER NO. : n/a  
DEPOSIT ACCT. NO. : 50-2548

**RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of April 1, 2004, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

There are no **Amendments to the Drawings**.

**Remarks/Arguments** begin on page 10 of this paper.